

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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YURMAN STUDIO, INC. and YURMAN  
DESIGN, INC.,

Plaintiffs/Counter-Defendants,

- against -

ELENA CASTANEDA and EJEWELER LLC  
d/b/a OVERSTOCKJEWELER.COM,

Defendants/Counter-Plaintiffs.  
----- X

Civil Action No. 07-1241 (SAS)(HP)  
(Action No. 1)

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CARTIER, a division of RICHEMONT NORTH  
AMERICA, INC., CARTIER INTERNATIONAL,  
N.V., CARTIER CREATION STUDIO, S.A., VAN  
CLEEF & ARPELS S.A., VAN CLEEF &  
ARPELS, INC., VAN CLEEF & ARPELS  
DISTRIBUTION, INC., GUCCI AMERICA, INC.,  
and BULGARI S.p.A.,

Plaintiffs,

- against -

ELENA CASTANEDA and EJEWELER LLC  
d/b/a OVERSTOCKJEWELER.COM,

Defendants.  
----- X

Civil Action No. 07-7862 (SAS)(HP)  
(Action No. 2)


**NOTICE OF MOTION FOR REARGUMENT AND/OR RECONSIDERATION  
OF THE COURT'S AUGUST 19, 2008 OPINION AND ORDER**

PLEASE TAKE NOTICE that Plaintiffs Yurman Studio, Inc. and Yurman Design, Inc.  
(collectively "Yurman") hereby move pursuant to Rule 59(e) of the Federal Rules of Civil  
Procedure and Local Civil Rule 6.3, before the Honorable Shira A. Scheindlin, United States  
District Judge, United States District Court, Southern District of New York, 500 Pearl Street,

New York, for reargument and/or reconsideration of the Court's August 19, 2008 Opinion and Order to the extent it denied Yurman's motion for summary judgment dismissing Defendants' counterclaim for cancellation of Yurman's U.S. Copyright Registrations covering certain collections of jewelry designs, and consequently denied, or failed to consider, Yurman's request for an award of its costs, including reasonable attorneys' fees, associated with the defense of Defendants' counterclaim.

Dated: New York, New York  
September 3, 2008

ARNOLD & PORTER LLP

By:   
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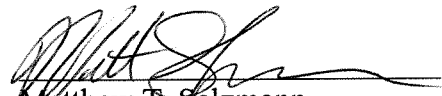
*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copies of the annexed **NOTICE OF MOTION FOR REARGUMENT AND/OR RECONSIDERATION OF THE COURT'S AUGUST 19, 2008 OPINION AND ORDER** and accompanying **MEMORANDUM OF LAW IN SUPPORT OF YURMAN STUDIO, INC.'S AND YURMAN DESIGN, INC.'S MOTION FOR REARGUMENT AND/OR RECONSIDERATION OF THE COURT'S AUGUST 19, 2008 OPINION AND ORDER** were served via Federal Express upon the following, this 3rd day of September, 2008:

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*Attorneys for Defendants*

  
Matthew T. Salzmann